

Application No. 09/921,844
Amendment AF dated March 13, 2008
Reply to Office Action of December 17, 2007

REMARKS

Applicant cancelled claims 219, 228-254, and 277-284 without prejudice or disclaimer of their subject matter and amended independent claim 131 to further define Applicant's claimed invention.

In the Office Action, the Examiner allowed independent claim 1 and claims 3, 5, 19-51, and 259-271 dependent therefrom. The Examiner objected to the specification under 35 U.S.C. § 132(a) and rejected independent claim 131 and claims dependent therefrom under 35 U.S.C. § 112, first paragraph. Applicant amended independent claim 131 to recite that the first and second sides of the perimeter are in a convergent relationship to each other and have "an included angle therebetween, said included angle being obtuse." Support for the amendment to independent claim 131 can be found at least in FIG. 14 of the application. FIG. 14 shows a fragmentary end view of the projection of FIG. 12A. FIG. 14 shows that the perimeter of rearward facet 326 has a first side and a second side in a convergent relationship to each other and having an included angle that is obtuse therebetween. Applicant submits that the Examiner's objection to the specification under 35 U.S.C. § 132(a) and the rejection under 35 U.S.C. § 112, first paragraph, have been overcome.

The Examiner rejected claim 219 and claims dependent therefrom under 35 U.S.C. § 102(b) as anticipated by or, in the alternative, under 35 U.S.C. § 103(a) as obvious over U.S. Patent No. 6,258,125 to Paul et al. Applicant cancelled independent claim 219 and claims dependent therefrom. Accordingly, this rejection is now moot.

The Examiner rejected independent claim 131 and claims 133, 135, 137-145, 205, 206, 213-215, and 272-276 dependent therefrom under 35 U.S.C. § 102(e) as anticipated by or, in the alternative, under 35 U.S.C. § 103(a) as obvious over U.S. Patent No. 6,592,624 to Fraser et al. ("Fraser").

Applicant amended independent claim 131 to recite that the first and second sides of said perimeter that are in a convergent relationship to each other have "an included angle therebetween, said included angle being obtuse." Applicant's FIG. 14 shows that facet 326 includes a perimeter, which from the end view shown in FIG. 14 is in the shape of a triangle.

Application No. 09/921,844
Amendment AF dated March 13, 2008
Reply to Office Action of December 17, 2007

The perimeter of facet 326 has a first side and second side being in a convergent relationship to each other and having an included angle therebetween that is obtuse.

Fraser discloses a triangular projection (18) having a rearward facet (34), a side facet (30), and a side facet (32) opposite side facet (30), the side facets (30, 32) converging at a crest line (36). (See Fraser col. 4, lines 1-8 and FIGS. 1A-1C). FIG. 1A of Fraser shows that the triangular projection (18) of Fraser does not have a forward facet and that side facet (32) is not opposite rearward facet (34). Applicant respectfully disagrees with the Examiner's contention that "facet 34 [is] opposite of the first facet" 32. (Office Action, page 5, lines 16-17). Fraser does not teach or suggest a projection having at least a first facet opposite a second facet having a perimeter with a first side and a second side, said first and second sides of said perimeter being in a convergent relationship to each other and having "an included angle therebetween, said included angle being obtuse" as recited in independent claim 131.

Applicant submits that independent claim 131 is patentable and that dependent claims 131, 133, 135, 137-145, 203-209, 206, 213-215, and 272-276 dependent from independent claim 131, or claims dependent therefrom, are patentable at least due to their dependency from an allowable independent claim.

Applicant respectfully requests that this Amendment under 37 C.F.R. § 1.116 be entered by the Examiner, placing claims 131, 133, 135, 137-145, 205, 206, 213-215, and 272-276 in condition for allowance. Applicant submits that the proposed amendment of claims 131 does not raise new issues or necessitate the undertaking of any additional search of the art by the Examiner, since all of the elements and their relationships claimed were either earlier claimed or inherent in the claims as examined. Therefore, this Amendment should allow for immediate action by the Examiner. Applicant submits that the entry of the amendment would place the application in better form for appeal, should the Examiner dispute the patentability of the pending claims.

In view of the foregoing remarks, Applicant submits that the claimed invention, as amended, is neither anticipated nor rendered obvious in view of the prior art references cited against this application. Applicant therefore requests the entry of this

Application No. 09/921,844
Amendment AF dated March 13, 2008
Reply to Office Action of December 17, 2007

Amendment, the Examiner's reconsideration and reexamination of the application, and the timely allowance of the pending claims.

To the extent any extension of time under 37 C.F.R. § 1.136 is required to obtain entry of this reply, such extension is hereby respectfully requested. If there are any fees due under 37 C.F.R. §§ 1.16 or 1.17 which are not enclosed herewith, including any fees required for an extension of time under 37 C.F.R. § 1.136, please charge such fees to our Deposit Account No. 50-3726.

Respectfully submitted,

MARTIN & FERRARO, LLP

Dated: March 13, 2008

By: _____


Amedeo F. Ferraro

Registration No. 37,129

1557 Lake O'Pines Street, NE
Hartville, Ohio 44632
Telephone: (310) 286-9800
Facsimile: (310) 286-2795